

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

## PATENT APPLICATION

ATTORNEY DOCKET NO. 10012473-3

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Bruce G. Johnson

Confirmation No.: 2599

Application No.: 10/818,688

Examiner: TRAN, Ly T.

Filing Date: July 9, 2003

Group Art Unit: 2853

Title: Inkjet Printing System with an Intermediate Transfer Member Between the Print Engine and Print Medium

Commissioner for Patents  
PO Box 1460  
Alexandria, VA 22313-1460

BEST AVAILABLE COPY

0/12/2004 SDIRETA1 00000004 082025 10616668

1 FC:1814 110.00 DA

TERMINAL DISCLAIMER  
RESPONSIVE TO A DOUBLE PATENTING REJECTION

Sir:

Petitioner, Hewlett-Packard Development Company, L.P. is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer of prior Patent No. 6,839,527 to Hewlett-Packard Development Company, L.P. which issued on Oct 28, 2003 and is commonly owned by Petitioner. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

For submissions on behalf of an organization (e.g., corporation), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

adjustment date: 10/12/2004 SDIRETA1  
0703/2004 PBRITTON 00000005 180013 10616668  
1 FC:1814 110.00 CR

Page 1 of 2

09/08/04 WED 15:39 [TX/RX NO 5758] 0004

**TERMINAL DISCLAIMER - DOUBLE PATENTING**  
(continued)ATTORNEY DOCKET NO. 10012473-3

Please charge the required fee set forth in 37 CFR 1.20(d) of \$110.00 to Deposit Account 08-2025. At any time during the pendency of the application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

(Note: An attorney or agent of record must sign this document.)

( ) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: \_\_\_\_\_

OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (703) 872-8308 on July 27, 2004

Number of pages: 8Typed Name: Robert L. SchowSignature: 

Respectfully submitted,

Bruce G. Johnson

By 

Steven L. Nichols

Attorney/Agent for Applicant(s)

Reg. No. 40,328Date: July 27, 2004Telephone No.: (801) 572-8068

BEST AVAILABLE COPY

RADER

FISHMAN

GRAUER

PLLC

Worldwide Intellectual Property Matters • Patents • Trademarks  
Litigation • Copyrights • U.S. and Foreign Portfolio Management  
Computer and Internet Law • Trade Secrets • Unfair Competition

BEST AVAILABLE COPY

To: USPTO

From: Steven L. Nichols

Fax: 1-703-308-6778

Pages: 1 + Cover sheet

Phone:

Date: September 8, 2004

Re: Refund request for 10/616,668

cc:

☐ Urgent☒ For Review☐ Please Comment☐ Please Reply☐ Please Recycle

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable laws. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return original message to us at the above address via U.S. Postal Service.  
Thank you.

● Comments: Dear Sirs,

To follow is the refund request for United States Patent Application Number 10/616,668. Included as well is a copy of the Terminal Disclaimer we filed for this application on July 27, 2004.

Thank you,

Jeffrey K. Riddle

Assistant to Steven L. Nichols

- 10653 S. River Front Pkwy., Suite 150, South Jordan, UT 84095 Tel: (801) 572-0185 Fax: (801) 572-7666 -  
[www.raderfishman.com](http://www.raderfishman.com)

Salt Lake City

Moorehead Hills

Washington, D.C.

Denver

09/08/04 WED 15:39 [TX/RX NO 5758] 001

BEST AVAILABLE COPY

Serial No.: 10/616,668

Attorney Docket No.: 40001-0150 (10012473-3)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application: Johnson, Bruce S.

Group Art Unit: 2853

Application No.: 10/616,668

Examiner: TRAN, Ly T.

Filed: July 9, 2003

For: "Inkjet Printing System with an Intermediate Transfer Member Between the Print"

COMMISSIONER FOR PATENTS

Mail Stop 16

P.O. Box 1450

Alexandria, VA 22313-1450

**REFUND REQUEST****Improper Charge of Deposit Account**

Sir:

**I. REFUND REQUEST**

This request for refund is made within three months of the date a fee was paid in this application on July 27, 2004, in the amount of \$110.00.

**II. FEES PAID FOR WHICH REFUND REQUESTED****AMOUNT OF REFUND  
REQUESTED**

Terminal Disclosure Fee

\$110.00**REFUND REQUESTED**\$110.00

**BEST AVAILABLE COPY**

Serial No.: 10/616,668

Attorney Docket No.: 40001-0150 (10012473-3)

**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

Per the Terminal Disclaimer which was filed with the USPTO on July 27, 2004 (to follow), the fees were to be charged to Deposit Account number 08-2025. Please refund the charges of \$110.00 to our account number 18-0013 and charge the \$110.00 to deposit account number 08-2025.

**IV. MANNER OF REFUND**

Please make refund by crediting the \$110.00 to Account No. 18-0013.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents,  
Mail Stop 16  
P.O. Box 1450  
Alexandria, VA 22313-1450.

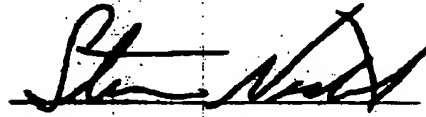
Date of Deposit: September 8, 2004

Typed Name: Jeffrey K. Riddle

Signature: 

Respectfully submitted,

By:



Steven L. Nichols  
Attorney/Agent for Applicant(s)  
Reg. No.: 40,326  
Date: September 8, 2004  
Telephone No.: (801) 572-8066